

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Edwin C. Tucker
Michael S. McGuire
Leonard G. Lee
John S. Lynn

Serial No.: 10/092,960
Filed: February 28, 2002

Reissue Application for
U.S. Patent No. 5,779,407
issued July 14, 1998

Art Unit: 3725

Examiner: Bray, Waymond D.

For: ROUTER TABLE FENCE SYSTEM

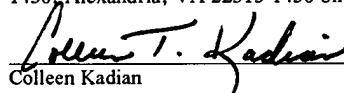
Assigned to: Lee Valley Tools, Ltd.

Attorney Docket: LV131RE (268829)

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing

I hereby certify that this correspondence being deposited with the United States Postal Service as certified first class mail in an envelope addressed to: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: September 11, 2003.


Colleen Kadian

**RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME**

Sir:

This paper responds to the Office Action mailed May 15, 2003 in the above-identified patent application.

Remarks are on page 2.

Summary of Interviews are on page 3.

Petition for One Month Time Extension is on page 4.

Conclusion is on page 5.

09/16/2003 DTESSEN1 00000048 10092960

01 FC:1251 110.00 OP

09/16/2003 DTESSEN1 00000048 10092960

02 FC:1051 130.00 OP

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SEP 16 2003
TECHNOLOGY CENTER R3700

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

REMARKS

The Action rejects claims 1-45 as being based upon a defective reissue declaration. Applicant's Assignee herewith submits a revised Declaration For Reissue Patent Application By The Assignee (attached behind Exhibit A) that Applicant's Assignee believes cures the deficiencies identified in the Action. Thus, Applicant's Assignee respectfully requests that the rejection of claims 1-45 be withdrawn. The requisite \$130 filing fee required under C.F.R. 1.53(f) and 1.16(e) is enclosed. Assignee's attorney believes no other fees are due for submission of the Declaration, however, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Order Account No. 11-0855.

Pursuant to 37 CFR §1.178, Applicant's Assignee also herewith surrenders the original patent, U.S. Patent No. 5,779,407 (attached behind Tab B).

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

SUMMARY OF INTERVIEWS

The undersigned attorney spoke with Examiner Bray on August 7, 2003 to clarify the alleged deficiencies in the reissue declaration and on August 13, 2003 to discuss Applicant's Assignee's draft revised declaration.

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

PETITION FOR ONE-MONTH TIME EXTENSION

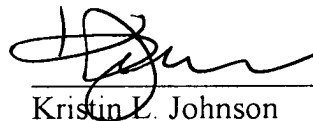
Applicant's Assignee hereby petitions that the period for responding to the Examiner's Action mailed on May 15, 2003 be extended for one month, up to and including September 15, 2003. Enclosed is a check to cover the appropriate fee for this extension under 37 C.F.R. § 1.17. The undersigned attorney believes no further fees are due; however, the Commissioner is authorized to debit deposit account no. 11-0855 to the extent necessary if additional fees are due.

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

CONCLUSION

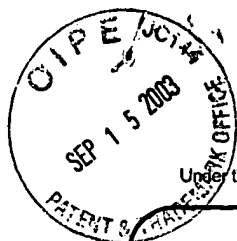
Applicant's Assignee submits that this Response to Office Action fully addresses and resolves all issues identified in the Office Action and thus respectfully requests re-issuance of the patent with claims 1-45.

Respectfully submitted,



Kristin L. Johnson
Registration No. 44,807
Attorney for Assignee

OF COUNSEL:
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Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6389



\$2725

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/092,960
	Filing Date	February 28, 2002
	First Named Inventor	Edwin C. Tucker
	Art Unit	3725
	Examiner Name	Bray, Waymond D.
Total Number of Pages in This Submission	Attorney Docket Number	LV131RE (L3440/268829)

ENCLOSURES (check all that apply)					
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration for Reissue Patent Application By The Assignee Original Letters Patent U.S. Patent No. 5,779,407			
<table border="1"><tr><td>Remarks</td><td rowspan="2"><div>RECEIVED SEP 16 2003 TECHNOLOGY CENTER HST/CC</div></td></tr><tr><td> </td></tr></table>			Remarks	<div>RECEIVED SEP 16 2003 TECHNOLOGY CENTER HST/CC</div>	
Remarks	<div>RECEIVED SEP 16 2003 TECHNOLOGY CENTER HST/CC</div>				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual name	Kristin L. Johnson, Esq. Kilpatrick Stockton LLP				
Signature					
Date	September 11, 2003				

CERTIFICATE OF MAILING

I hereby certify that this Transmittal Form PTO/SB/21 and all documents referred thereon as enclosed is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP REISSUE, Commissioner for Patents, U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, Virginia 22313-1450 on: September 11, 2003.

Colleen Kadian

SEP 15 2003
PATENT & TRADEMARK OFFICE

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PTO/SB/17 (05-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 240

Complete if Known	
Application Number	10/092,960
Filing Date	02/28/2002
First Named Inventor	Edwin C. Tucker
Examiner Name	Bray, Waymond D.
Art Unit	3725
Attorney Docket No.	LV131RE (L3440/268829)

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SEP 16 2003
TECHNOLOGY CENTER #3700

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 11-0855 Deposit Account Name: KILPATRICK STOCKTON LLP		Large Entity Small Entity	
The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		Fee Code Fee (\$)	
FEE CALCULATION		Fee Description Fee Paid	
1. BASIC FILING FEE		1051 130 2051 65 Surcharge - late filing fee or oath 130	
Large Entity Fee Code Fee (\$)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
Small Entity Fee Code Fee (\$)		1053 130 1053 130 Non-English specification	
Fee Description Fee Paid		1812 2,520 1812 2,520 For filing a request for reexamination	
1001 750 2001 375 Utility filing fee		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
1002 330 2002 165 Design filing fee		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
1003 520 2003 260 Plant filing fee		1251 110 2251 55 Extension for reply within first month 110	
1004 750 2004 375 Reissue filing fee		1252 410 2252 205 Extension for reply within second month	
1005 160 2005 80 Provisional filing fee		1253 930 2253 465 Extension for reply within third month	
SUBTOTAL (1) (\$) 0		1254 1,450 2254 725 Extension for reply within fourth month	
2. EXTRA CLAIM FEES		1255 1,970 2255 985 Extension for reply within fifth month	
Total Claims -20 ** = 0 X Fee from below = 0		1401 320 2401 160 Notice of Appeal	
Independent Claims -3 ** = 0 X Fee Paid = 0		1402 320 2402 160 Filing a brief in support of an appeal	
Multiple Dependent X = 0		1403 280 2403 140 Request for oral hearing	
Large Entity Fee Code Fee (\$)		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Small Entity Fee Code Fee (\$)		1452 110 2452 55 Petition to revive - unavoidable	
Fee Description Fee Paid		1453 1,300 2453 650 Petition to revive - unintentional	
1202 18 2202 9 Claims in excess of 20		1501 1,300 2501 650 Utility issue fee (or reissue)	
1201 84 2201 42 Independent claims in excess of 3		1502 470 2502 235 Design issue fee	
1203 280 2203 140 Multiple dependent claim, if not paid		1503 630 2503 315 Plant issue fee	
1204 84 2204 42 ** Reissue independent claims over original patent		1460 130 1460 130 Petitions to the Commissioner	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1807 50 1807 50 Processing fee under 37 CFR.1.17 (q)	
SUBTOTAL (2) (\$) 0		1806 180 1806 180 Submission of Information Disclosure Stmt	
**or number previously paid, if greater; For Reissues, see above		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
		1809 750 2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810 750 2810 375 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801 750 2801 375 Request for Continued Examination (RCE)	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) _____	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 240	

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Kristin L. Johnson	Registration No. Attorney/Agent)	44,807	Telephone	404-815-6389
Signature		Date	September 11, 2003		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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